

Remarks:

These remarks are responsive to the Office Action dated August 4, 2009. As of that Office action, claims 1-13, 15-23, 25-36, and 38-45 were pending in the application and were rejected under 35 USC 103. Claims 14, 24, and 37 were previously canceled and claim 21 is canceled by the present amendment. In the present amendment, claim 1 is amended.

The Office action cited Kelly (5,816,918) as disclosing a digital good generated on the communication device in response to a digital receipt. Applicant believes that Kelly does not disclose the invention recited in claim 1 and does not teach or suggest the combined limitations of claim 1 alone or in combination with other prior art. Therefore, claim 1 is patentable, as well as claims dependent therefrom.

Conclusion

The undersigned attorney represents the new assignee of this application and requests a telephone interview for discussion of the patentability of the invention in the present application. The Commissioner is hereby authorized to charge or credit any deficiencies or over-payments to Deposit Account No. 11-1540 which may be required in connection with this filing.

Respectfully submitted,

**CERTIFICATE OF ELECTRONIC
TRANSMISSION**

KOLISCH HARTWELL, P.C.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 1450, Mail Stop Petitions, Alexandria, Virginia 22313-1450 on November 4, 2010.


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